

## RULES OF THE SENATE

Table of Senate Rules  
67th Legislature

Rule	Page
1. Quorum .....	1
2. Absentees .....	2
3. Absences .....	2
4. Roll Call .....	3
Call Of The Senate .....	3
Senate's Right To Await Attendance Of All Absentees .....	4
5. Presiding Officer Of The Senate .....	6
6. Election Of President Pro Tempore .....	7
7. Election Of Officers .....	7
8. Open Doors .....	8
9. Order Of Business .....	8
10. Roll Call, Prayer By Chaplain, Reading Of Journal .....	9
11. Morning Call .....	9
12. Order Of Considering Bills And Resolutions .....	10
13. House Bill Days .....	11
14. Special Orders .....	12
15. Rulings By President .....	14
16. Motions And Their Precedence .....	14
17. Limitation Of Debate .....	21
18. Written Motions .....	22
19. Withdrawal Of Motion .....	23
20. Motions To Fix Sum Or State Time .....	23
21. Division Of Question .....	23
22. Reason For Vote .....	24
23. Reconsideration .....	25
24. Spreading Motion To Reconsider On Journal .....	28
25. Reading Of Papers .....	29
26. Mode Of Stating And Voting Upon Questions .....	30
27. Lieutenant Governor To Give Casting Vote .....	30
28. Effect Of Tie Vote When Lieutenant Governor Absent .....	30



29.	Calls For Yeas And Nays By	
	Three Members .....	30
30.	Members Refusing To Answer Recorded	
	Present .....	31
31.	Matters Requiring Vote Of Two-Thirds	
	Of All Members .....	32
	Vetoed Bills .....	32
32.	Matters Requiring Vote Of Two-Thirds	
	Of Members Present .....	33
33.	Suspension Of Three-Day Rule .....	35
34.	Elections .....	36
35.	Elections .....	36
36.	Nominations By The Governor .....	36
37.	Nominations By The Governor .....	36
38.	Nominations By The Governor .....	37
39.	Nominations By The Governor .....	37
40.	Secrecy Of Executive Session .....	37
41.	Secrecy Of Executive Session .....	38
42.	Secrecy Of Executive Session .....	38
43.	Violation Of Secrecy .....	38
44.	Messages To The House .....	38
45.	Reception Of House Messages .....	38
46.	Journal Of The Senate .....	38
47.	Return Of Vetoed Senate Bills .....	40
48.	Report To Governor Of Final Result	
	Of Executive Session .....	40
49.	Adjournment .....	40
	Adjournment Of Senate For More	
	Than Three Days .....	41
50.	When Senate Rules Are Silent .....	42
51.	Previous Question .....	43
52.	Demand For Immediate Ruling .....	46
53.	Decorum--Removal Of Senator	
	From Chair .....	46
54.	Decorum And Debate .....	48
55.	Recognition Of Members In Debate .....	48
56.	Speaking More Than Once In Single	
	Debate .....	49
57.	Member Called To Order .....	50
58.	Refusal Of Member Called To Order	
	To Be Seated .....	50
59.	Interruption Of President .....	51
60.	Interruption Of Member Speaking .....	51
61.	Punishment For Misconduct .....	55
62.	Obstructing Proceedings Of Senate--	
	Punishment .....	56
63.	Bribery .....	56

64.	Admittance To Senate Chamber;	
	Restrictions On Dress And Behavior .....	56
	Persons Lobbying Not Admitted .....	57
	Press Correspondents .....	57
	Forfeiture Of Admittance Privilege .....	58
	Suspension Of Admittance Rule .....	58
	Exceptions .....	59
65.	No Eating Or Drinking In Senate	
	Chamber .....	60
66.	Persons Must Be Properly Attired In	
	Senate Chamber .....	60
67.	Legislation--Consideration Of House	
	Bill In Lieu Of Senate Bill On	
	Same Subject .....	61
68.	Procedure In Passage Of Bills .....	62
69.	Announcement Of Stage Of Bill .....	63
70.	First Reading And Reference Of Bills .....	63
71.	Motion To Pass Bill Is Not Necessary .....	65
72.	Germaneness .....	65
73.	Seventy-Two And Twenty-Four Hour Rules ...	71
74.	Printing Of Bills .....	71
75.	Adoption Of Amendment On Final	
	Passage Of Bill .....	73
76.	Signing Of Bills And Resolutions	
	By Presiding Officer .....	73
77.	House Amendments To Senate Bills .....	73
78.	Petitions And Resolutions .....	74
79.	Congratulatory, Memorial And Courtesy	
	Resolutions .....	76
80.	Amendments To The Constitution .....	77
81.	Failure Of Joint Resolution To Be	
	Adopted After Third Reading .....	78
82.	Call For Yeas And Nays By	
	Presiding Officer .....	78
83.	Defeated Bill Or Resolution .....	78
84.	Course Of Committee Substitute Bills .....	79
85.	Custodian Of Bills And Resolutions .....	80
86.	Periods For Introduction and	
	Consideration Of Bills .....	80
87.	Suspension Of Time Limit Rule .....	81
88.	Introduction And Consideration	
	Of Local Bills .....	81
	Meaning Of Term Local Bills As	
	Used In Rules 86 And 88 .....	81
89.	Suspension Of Rule Limiting	
	Consideration Of Bills .....	82
90.	Committee Reports .....	82

91.	Recommendations Of Committees .....	83
92.	Motions To Refer Or Commit .....	84
93.	Committees .....	85
94.	List Of Standing Committees .....	85
94.1.	Limitation On Appropriations .....	89
94.2.	Actuarial Analyses .....	90
95.	Conference Committees .....	93
96.	Instructions To Conference Committees ....	93
97.	Committee Of The Whole .....	99
98.	Chairman Of Committee Of The Whole .....	100
99.	Right Of Lieutenant Governor To Speak And Vote In Committee Of The Whole .....	100
100.	Procedure In Committee Of The Whole .....	100
101.	Procedure In Committee Of The Whole .....	100
102.	Record Of Committee Attendance .....	101
103.	Public Notice Of Meetings .....	101
104.	Minutes Of Committee Meetings .....	101
105.	Committee Hearings .....	102
106.	Quorum Of Committee .....	105
107.	Filing Reports Of Committees .....	105
108.	Consideration Of Bills In Committees .....	107
109.	Minority Committee Reports .....	107
	Appendix , .....	109

### Rule 13

respectively, and House Concurrent Resolutions, shall be taken up and considered until disposed of; provided in case one should be pending at adjournment on Thursday, it shall go over until the succeeding calendar Wednesday as unfinished business.

### Notes of Rulings

A House bill, by a two-thirds vote, may be taken up and considered by the Senate on any day of the week (46 S.J. Reg. 634-635 (1939)).

When the Senate adjourns on Thursday of any week with a House bill pending, the bill then pending, whether it is a special order or not, may not be further considered until Wednesday of the next succeeding week unless the Senate by a two-thirds vote agrees to consider it further prior to that day (46 S.J. Reg. 1704 (1939)).

House bills may be considered in Senate under a suspension of the regular order of business on days other than calendar Wednesday and calendar Thursday (48 S.J. Reg. 1051 (1943)).

When a Member is discussing a Senate Bill on calendar Monday or calendar Tuesday (which are considered Senate Bill Days in the Senate) and 12:01 o'clock a.m. Wednesday arrives (which is considered a House Bill Day in the Senate), no further discussion may be had on the Senate Bill (61 S.J. Reg. 956 (1969)).

### SPECIAL ORDERS

14. Any bill, resolution or other measure may, on any day, be made a special order for a future time of the session by

Rule 14

an affirmative vote of two-thirds of the Members present.

A special order shall be considered at the time for which it is set and considered from day to day until disposed of, unless at the time so fixed there is pending business under a special order, but such pending business may be suspended by a two-thirds vote of all the Members present. If a special order is not reached or considered at the time fixed, it shall not lose its place as a special order; provided further that all special orders shall be subject to the Joint Rules and Senate Rule 13.

Editorial Notes

A bill once set as a special order does not lose its place on the Calendar of special orders if not taken up at the hour for which it is set.

A special order, the hour for the consideration of which has arrived, takes precedence of the unfinished business unless the unfinished business is itself a special order.

Notes of Rulings

An affirmative vote of two-thirds of all Senators present including those who ask to be recorded as "present-not voting" is required to set a special order (49 S.J. Reg. 427 (1945)).

The motion to set a bill for a special order is not a proper substitute for a motion to suspend the regular order of business and take up a bill for immediate consideration (50 S.J. Reg. 1005 (1947)).

A bill being considered as a special order that is laid on the table subject

## Rule 15

to call is no longer a special order (43 S.J. Reg. 980 (1933)).

Refusal of Senate to set bill as special order for a certain hour does not prevent a motion's being made and adopted immediately thereafter to set the bill as a special order for a different specified hour (45 S.J. Reg. 860 (1937)).

The Senate, by a two-thirds vote, may take up a bill out of its regular order for immediate consideration although there is an unfinished special order on the President's table awaiting the Senate's consideration (49 S.J. Reg. 1053 (1945)).

When the business before the Senate is a Special Order, the order of business may be suspended in order to consider other business (61 S.J. Reg. 2034 (1969)).

## RULINGS BY PRESIDENT

15. Every question of order shall in the first instance be decided by the President, from whose decision any Member may appeal to the Senate. Rulings which set or alter precedent shall be printed as an annotation to the Rules.

### Editorial Note

A Member called to the Chair pending an appeal does not entertain any motions nor accept any further point of order.

See also Editorial Note following Rule 5.

## MOTIONS AND THEIR PRECEDENCE

16. When a question is under consideration by the Senate, no motion



Rule 31

MATTERS REQUIRING VOTE OF TWO-THIRDS  
OF ALL MEMBERS

31. (a) A vote of two-thirds of all Members elected to the Senate shall be required:

(1) for the final passage of proposed amendments to the Constitution (Constitution, Article 17, Section 1);

(2) in cases of great public calamity to release the payment of taxes (Constitution, Article 8, Section 10);

(3) for the final passage of bills to reduce a county to a less area than nine hundred square miles (Constitution, Article 9, Section 1);

(4) for the passage of an address to the Governor for the removal of any civil officer (Constitution, Article 15, Section 8);

(5) to expel a Member (Constitution, Article 3, Section 11).

Note of Ruling

A vote of two-thirds of the Members is not required for passage of bill to create flood control district and donate portion of taxes collected therein to the district (48 S.J. Reg. 1053 (1943)).

VETOED BILLS

(b) A vote of two-thirds of all Members elected to the Senate shall be required for the passage of House bills that have been returned by the Governor with his objections, and a vote of two-thirds of the Members of the Senate present shall be required for the passage of Senate bills that have been returned by the Governor



Rule 32

with his objections (Constitution, Article 4, Section 14).

Note of Ruling

A specific case in which the vote of yeas and nays did not pass the bill over the Governor's veto is found at 47 S.J. Reg. 2748 (1941).

MATTERS REQUIRING VOTE OF TWO-THIRDS OF MEMBERS PRESENT

32. (a) A vote of two-thirds of all Members present shall be required:

(1) for the impeachment of any officer (Constitution, Article 15, Section 3);

(2) to excuse absentees;

(3) to adopt an amendment at third reading of a bill or a joint resolution;

(4) to postpone or change the order of business;

(5) to suspend, rescind or amend any Rule of the Senate. Joint Rules of the two Houses may be adopted or amended by a simple majority of the Members elected to the Senate and shall take precedence over Senate Rules in conflict.

(b) A vote of two-thirds of the Members present shall be required for the confirmation of any appointee of the Governor, unless otherwise directed by law (Constitution, Article 4, Section 12).

Historical Notes

The following rule was adopted by the Senate in 1911 (32 S.J. Reg. 790): "Rule 61a. It shall only require A majority vote of all Senators present to suspend

## Rule 32

pending business for the purpose of taking up and considering Senate Bill No. 1 and House Bill No. 226, any other rule or order to the contrary notwithstanding."

Rule 63 as adopted at the regular session in 1911 read as follows: "Any rule or order of the Senate may be rescinded by a majority vote of all members elected. . . ."

The following rule of the preceding legislature was eliminated from the 1911 Senate rules: "No standing rule or order of the Senate shall be rescinded or changed without one day's notice being given of the motion therefor."

The following is the text of the old rule on rescinding, which was adopted by the Senate of the 34th Legislature:

"(64) Any rule, order or act of the Senate may be rescinded or changed by a two-thirds vote of all Members present, except where otherwise provided by the Constitution or the laws." (34 S.J. Reg. 977 (1915)).

The rule was later amended to require two-thirds of all Members to rescind or change a rule, and in 1939 the item (5) above was inserted in lieu of the old Rule 64.

### Note of Ruling

Pending consideration of a conference report, a motion to suspend its consideration and take up a Senate bill for immediate consideration is in order.

Rule 33

The motion is divisible, since it involves the suspension of Rule 26 (now Rule 16) and also of Rule 13 (now Rule 12), 61st Leg. (51 S.J. Reg. 1555 (1949)).

Editorial Note

This ruling and other late Senate precedents relative to suspending a pending question for the purpose of taking up another indicate that it has become the prevailing opinion of the Senate's presiding officers and its Members that any pending debatable question, even a highly privileged one or one with high priority for consideration, may be suspended by a two-thirds vote of the Senate for the purpose of taking up another matter on the President's table for immediate consideration. Suspending a question that has itself been taken up under a suspension would most likely not be permitted.

SUSPENSION OF THREE-DAY RULE

33. It shall require a vote of four-fifths of the Senate to suspend the Rule requiring bills to be read on three several days (Constitution, Article 3, Section 32).

Editorial Note

"Four-fifths of the Senate" means four-fifths of the Members present, provided a quorum is present.

Note of Ruling

A motion to suspend the Constitutional Rule and Senate Rule 32 (now Rule 68) requiring bills to be read on three several days may be made although the same motion has been made and defeated on

# **RULES OF THE SENATE**

## **Table of Senate Rules**

Rule	Page
1. Quorum .....	1
2. Absentees .....	1
3. Absences .....	2
4. Roll Call .....	2
Call Of The Senate .....	2
Senate's Right To Await Attendance	
Of All Absentees .....	2
5. Presiding Officer Of The Senate .....	3
6. Election Of President Pro Tempore .....	4
7. Election Of Officers .....	4
8. Open Doors .....	5
9. Order Of Business .....	5
10. Roll Call, Prayer By Chaplain,	
Reading Of Journal .....	5
11. Morning Call .....	5
12. Order Of Considering Bills And Resolutions .....	6
13. House Bill Days .....	7
14. Special Orders .....	7
14.1. Local And Uncontested Calendar .....	8
14.2. Intent Calendar .....	9
15. Rulings By President .....	9
16. Motions And Their Precedence .....	10
17. Limitation Of Debate .....	13
18. Written Motions .....	14
19. Withdrawal Of Motion .....	14
20. Motions To Fix Sum Or State Time .....	14
21. Division Of Question .....	14
22. Reason For Vote .....	15
23. Reconsideration .....	15
24. Spreading Motion To Reconsider On Journal .....	17
25. Reading Of Papers .....	17
26. Mode Of Stating And Voting Upon Questions .....	18
27. Lieutenant Governor To Give Casting Vote .....	18
28. Effect Of Tie Vote When	
Lieutenant Governor Absent .....	18
29. Calls For Yeas And Nays By Three Members .....	18
30. Members Refusing To Answer Recorded Present .....	19
31. Matters Requiring Vote Of Two-Thirds	
Of All Members .....	19
Vetoed Bills .....	19
32. Matters Requiring Vote Of Two-Thirds	
Of Members Present .....	20
32.1. Adoption Of Rules .....	21

Δ π EXHIBIT 20

Deponent *William*

Date *7/9/14* Rptd *7/5*

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33.	Suspension Of Three-Day Rule .....	21
34.	Elections .....	21
35.	Elections .....	21
36.	Nominations By The Governor .....	22
37.	Nominations By The Governor .....	22
38.	Nominations By The Governor .....	22
39.	Nominations By The Governor .....	22
40.	Secrecy Of Executive Session .....	22
41.	Secrecy Of Executive Session .....	22
42.	Secrecy Of Executive Session .....	22
43.	Violation Of Secrecy .....	23
44.	Messages To The House .....	23
45.	Reception Of House Messages .....	23
46.	Journal Of The Senate .....	23
47.	Return Of Vetoed Senate Bills .....	24
48.	Report To Governor Of Final Result Of Executive Session .....	24
49.	Adjournment .....	24
	Adjournment Of Senate For More Than Three Days .....	24
50.	When Senate Rules Are Silent .....	25
51.	Previous Question .....	25
52.	Demand For Immediate Ruling .....	27
53.	Removal Of Senator From Chair .....	27
54.	Decorum And Debate .....	28
55.	Recognition Of Members In Debate .....	28
56.	Speaking More Than Once In Single Debate .....	29
57.	Member Called To Order .....	29
58.	Refusal Of Member Called To Order To Be Seated .....	29
59.	Interruption Of President .....	30
60.	Interruption Of Member Speaking .....	30
61.	Punishment For Misconduct .....	32
62.	Obstructing Proceedings Of Senate—Punishment .....	32
63.	Bribery .....	33
64.	Admittance To Senate Chamber; Restrictions On Dress And Behavior .....	33
	Persons Lobbying Not Admitted .....	33
	Press Correspondents .....	33
	Forfeiture Of Admittance Privilege .....	33
	Suspension Of Admittance Rule .....	34
	Exceptions .....	34
65.	No Eating Or Drinking In Senate Chamber .....	35
66.	Persons Must Be Properly Attired In Senate Chamber .....	35
67.	Consideration Of House Bill In Lieu Of Senate Bill On Same Subject .....	35
68.	Procedure In Passage Of Bills .....	36
69.	Announcement Of Stage Of Bill .....	36

70.	First Reading And Reference Of Bills .....	36
71.	Motion To Pass Bill Is Not Necessary .....	37
72.	Germaneness .....	38
72.1.	Amendments To Tax Bills .....	40
73.	Seventy-Two And Twenty-Four Hour Rules .....	41
74.	Printing Of Bills .....	41
74a.	Printing Of Bills (House Amendments) .....	41
75.	Adoption Of Amendment On Final Passage Of Bill .....	42
76.	Signing Of Bills And Resolutions	
	By Presiding Officer .....	42
77.	House Amendments To Senate Bills .....	42
78.	Petitions And Resolutions .....	42
79.	Congratulatory, Memorial, And Courtesy	
	Resolutions .....	44
80.	Amendments To The Constitution .....	44
81.	Failure Of Joint Resolution To Be	
	Adopted After Third Reading .....	44
82.	Call For Yeas And Nays By Presiding Officer .....	44
83.	Defeated Bill Or Resolution .....	45
84.	Course Of Committee Substitute Bills .....	45
85.	Custodian Of Bills And Resolutions .....	45
86.	Periods For Introduction And Consideration	
	Of Bills .....	46
87.	Suspension Of Time Limit Rule .....	46
88.	Introduction And Consideration Of Local Bills .....	46
	Meaning Of Term Local Bills As Used In	
	Rules 86 And 88 .....	46
89.	Suspension Of Rule Limiting	
	Consideration Of Bills .....	46
90.	Committee Reports .....	47
91.	Recommendations Of Committees .....	47
92.	Motions To Refer Or Commit .....	48
93.	Committees .....	48
94.	List Of Standing Committees .....	48
94.1.	Limitation On Appropriations .....	49
94.2.	Actuarial Analyses .....	49
94.3.	Fiscal Notes .....	51
94.4.	Format Of Bills And Resolutions	
	Reported By Committees .....	52
95.	Conference Committees .....	52
96.	Instructions To Conference Committees .....	53
97.	Committee Of The Whole .....	56
98.	Chairman Of Committee Of The Whole .....	56
99.	Right Of Lieutenant Governor To Speak And	
	Vote In Committee Of The Whole .....	56
100.	Procedure In Committee Of The Whole .....	56
101.	Procedure In Committee Of The Whole .....	56
101.1.	Rules Governing Committee Procedures .....	57



102.	Record Of Committee Attendance .....	57
103.	Public Notice Of Committee Meetings .....	57
104.	Minutes Of Committee Meetings .....	57
105.	Public Hearings .....	58
105.1.	Privileged Notice Of Hearing On Specific Bills (Tag Rule) .....	59
106.	Quorum Of Committee .....	60
107.	Committee Reports .....	60
108.	Consideration Of Bills In Committees .....	61
109.	Minority Reports .....	61
110.	Referral Of Agency Rules .....	62
	Appendix .....	63



**RULE 1**

**RULES OF THE SENATE  
OF THE 69TH TEXAS LEGISLATURE**

**GENERAL PROCEDURE  
QUORUM**

1. Two-thirds of all the Senators elected shall constitute a quorum, but a smaller number may adjourn (or recess) from day to day, and compel the attendance of absent members (Constitution, Article 3, Section 10).

*Editorial Note*

*The exact text of Section 10 of Article 3 of the State Constitution is as follows:*

*"Two-thirds of each House shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as each House may provide."*

*Notes of Rulings*

*Twenty members of the Senate constitute a quorum when only 30 members have qualified (35 S.J. 2 C.S. 23, 32 (1917)).*

*A point of order that no quorum is present does not deter continued transaction of business by Senate if in fact a quorum is known by the presiding officer to be present and he so announces (50 S.J. Reg. 417 (1947)).*

*The raising of a point of order that no quorum is present justifies an order by the presiding officer that the roll be called to ascertain the presence or absence of a quorum (50 S.J. Reg. 417 (1947)).*

*Under Senate Rule No. 1 . . . a motion to recess (or adjourn) until a later time on the same day is a proper motion (61 S.J. Reg. 945 (1969)).*

*A quorum of the Senate is present when 21 members answer the roll call (61 S.J. Reg. 954 (1969)).*

*There is a quorum of the Senate present when the last roll call taken by the Secretary shows that a quorum was present (61 S.J. Reg. 1926 (1969)).*

**ABSENTEES**

2. In case a less number shall convene, the members present may send the Sergeant-at-Arms, or any other person or persons, for any or all absent members.

*Notes of Rulings*

*The attendance of absentees may be enforced only on order of Senators present (48 S.J. Reg. 355 (1943)).*

## RULE 13

### HOUSE BILL DAYS

13. After the morning call has been concluded on calendar Wednesday and calendar Thursday of each week, House Joint Resolutions and House bills on special order and on third and second readings, respectively, and House Concurrent Resolutions, shall be taken up and considered until disposed of; provided in case one should be pending at adjournment on Thursday, it shall go over until the succeeding calendar Wednesday as unfinished business.

#### *Notes of Rulings*

*A House bill, by a two-thirds vote, may be taken up and considered by the Senate on any day of the week (46 S.J. Reg. 634-635 (1939)).*

*When the Senate adjourns on Thursday of any week with a House bill pending, the bill then pending, whether it is a special order or not, may not be further considered until Wednesday of the next succeeding week unless the Senate by a two-thirds vote agrees to consider it further prior to that day (46 S.J. Reg. 1704 (1939)).*

*House bills may be considered in Senate under a suspension of the regular order of business on days other than calendar Wednesday and calendar Thursday (48 S.J. Reg. 1051 (1943)).*

*When a member is discussing a Senate bill on calendar Monday or calendar Tuesday (which are considered Senate bill days in the Senate) and 12:01 o'clock a.m. Wednesday arrives (which is considered a House bill day in the Senate), no further discussion may be had on the Senate bill (61 S.J. Reg. 956 (1969)).*

### SPECIAL ORDERS

14. Any bill, resolution, or other measure may, on any day, be made a special order for a future time of the session by an affirmative vote of two-thirds of the members present.

A special order shall be considered at the time for which it is set and considered from day to day until disposed of, unless at the time so fixed there is pending business under a special order, but such pending business may be suspended by a two-thirds vote of all the members present. If a special order is not reached or considered at the time fixed, it shall not lose its place as a special order; provided further that all special orders shall be subject to the Joint Rules and Senate Rule 13.

#### *Editorial Notes*

*A bill once set as a special order does not lose its place on the calendar of special orders if not taken up at the hour for which it is set.*

*A special order, the hour for the consideration of which has arrived, takes precedence of the unfinished business unless the unfinished business is itself a special order.*

## **RULE 14**

### *Notes of Rulings*

*An affirmative vote of two-thirds of all Senators present including those who ask to be recorded as "present-not voting" is required to set a special order (49 S.J. Reg. 427 (1945)).*

*The motion to set a bill for a special order is not a proper substitute for a motion to suspend the regular order of business and take up a bill for immediate consideration (50 S.J. Reg. 1005 (1947)).*

*A bill being considered as a special order that is laid on the table subject to call is no longer a special order (43 S.J. Reg. 980 (1933)).*

*Refusal of Senate to set bill as special order for a certain hour does not prevent a motion's being made and adopted immediately thereafter to set the bill as a special order for a different specified hour (45 S.J. Reg. 860 (1937)).*

*The Senate, by a two-thirds vote, may take up a bill out of its regular order for immediate consideration although there is an unfinished special order on the President's table awaiting the Senate's consideration (49 S.J. Reg. 1053 (1945)).*

*When the business before the Senate is a special order, the order of business may be suspended in order to consider other business (61 S.J. Reg. 2034 (1969)).*

### **LOCAL AND UNCONTESTED CALENDAR**

14.1. (a) At times designated by the Senate, the Senate shall meet in session to consider local and uncontested bills and resolutions listed on a calendar certified by the Administration Committee.

(b) The committee may not consider a bill or resolution for placement on the calendar unless

(1) the sponsor of the legislation applies for the placement and submits 14 copies of the bill or resolution to the committee; and

(2) the chair of the standing committee from which the bill or resolution was reported submits a written request for the placement on the calendar.

The committee may set a time after which applications for a place on the calendar may not be accepted.

(c) The committee may not place a bill or resolution on the calendar if it

(1) creates a new department or subdivision of a department, unless the bill or resolution is purely local in nature and does not require the expenditure of state funds;

(2) contains an appropriation; or

**RULE 30**

**MEMBERS REFUSING TO ANSWER RECORDED PRESENT**

30. Upon a roll call of the Senate, should any member who is in the Senate Chamber fail or refuse to answer when his name is called, the Secretary of the Senate shall, under the direction of the President of the Senate, record such member as present.

**MATTERS REQUIRING VOTE OF TWO-THIRDS  
OF ALL MEMBERS**

31. (a) A vote of two-thirds of all members elected to the Senate shall be required:

(1) for the final passage of proposed amendments to the Constitution (Constitution, Article 17, Section 1);

(2) in cases of great public calamity to release the payment of taxes (Constitution, Article 8, Section 10);

(3) for the final passage of bills to reduce a county to a less area than nine hundred square miles (Constitution, Article 9, Section 1);

(4) for the passage of an address to the Governor for the removal of any civil officer (Constitution, Article 15, Section 8);

(5) to expel a member (Constitution, Article 3, Section 11).

*Note of Ruling*

*A vote of two-thirds of the members is not required for passage of bill to create flood control district and donate portion of taxes collected therein to the district (48 S.J. Reg. 1053 (1943)).*

**VETOED BILLS**

(b) A vote of two-thirds of all members elected to the Senate shall be required for the passage of House bills that have been returned by the Governor with his objections, and a vote of two-thirds of the members of the Senate present shall be required for the passage of Senate bills that have been returned by the Governor with his objections (Constitution, Article 4, Section 14).

*Note of Ruling*

*A specific case in which the vote of yeas and nays did not pass the bill over the Governor's veto is found at 47 S.J. Reg. 2748 (1941).*

**MATTERS REQUIRING VOTE OF TWO-THIRDS OF  
MEMBERS PRESENT**

32. (a) A vote of two-thirds of all members present shall be required:

(1) for the impeachment of any officer (Constitution, Article 15, Section 3);

(2) to excuse absentees;

(3) to adopt an amendment at third reading of a bill or a joint resolution;

## RULE 32

(4) to postpone or change the order of business;

(5) to rescind or amend any rule of the Senate.

(b) A Senate rule may be suspended by a vote of two-thirds of the members present unless the rule specifies a different majority.

(c) A vote of two-thirds of the members present shall be required for the confirmation of any appointee of the Governor, unless otherwise directed by law (Constitution, Article 4, Section 12).

### *Historical Notes*

*The following rule was adopted by the Senate in 1911 (32 S.J. Reg. 790): "Rule 61a. It shall only require a majority vote of all Senators present to suspend pending business for the purpose of taking up and considering Senate Bill No. 1 and House Bill No. 226, any other rule or order to the contrary notwithstanding."*

*Rule 63 as adopted at the regular session in 1911 read as follows: "Any rule or order of the Senate may be rescinded by a majority vote of all members elected . . . ."*

*The following rule of the preceding legislature was eliminated from the 1911 Senate rules: "No standing rule or order of the Senate shall be rescinded or changed without one day's notice being given of the motion therefor."*

*The following is the text of the old rule on rescinding, which was adopted by the Senate of the 34th Legislature:*

*"(64) Any rule, order or act of the Senate may be rescinded or changed by a two-thirds vote of all Members present, except where otherwise provided by the Constitution or the laws" (34 S.J. Reg. 977 (1915)).*

*The rule was later amended to require two-thirds of all members to rescind or change a rule, and in 1939 the item (5) above was inserted in lieu of the old Rule 64.*

### *Note of Ruling*

*Pending consideration of a conference report, a motion to suspend its consideration and take up a Senate bill for immediate consideration is in order. The motion is divisible, since it involves the suspension of Rule 26 (now Rule 16) and also of Rule 13 (now Rule 12), 61st Leg. (51 S.J. Reg. 1555 (1949)).*

### *Editorial Note*

*This ruling and other late Senate precedents relative to suspending a pending question for the purpose of taking up another indicate that it has become the prevailing opinion of the Senate's presiding officers and its members that any pending debatable question, even a highly privileged one or one with high priority for consideration, may be suspended by a*

**RULES  
OF THE SENATE  
70th Legislature  
Regular Session  
1987**



33.	Suspension Of Three-Day Rule .....	21
34.	Elections .....	21
35.	Elections .....	21
36.	Nominations By The Governor .....	21
37.	Nominations By The Governor .....	21
38.	Nominations By The Governor .....	22
39.	Nominations By The Governor .....	22
40.	Secrecy Of Executive Session .....	22
41.	Secrecy Of Executive Session .....	22
42.	Secrecy Of Executive Session .....	22
43.	Violation Of Secrecy .....	22
44.	Messages To The House .....	23
45.	Reception Of House Messages .....	23
46.	Journal Of The Senate .....	23
47.	Return Of Vetoed Senate Bills .....	24
48.	Report To Governor Of Final Result Of Executive Session .....	24
49.	Adjournment .....	24
	Adjournment Of Senate For More Than Three Days .....	24
50.	When Senate Rules Are Silent .....	25
51.	Previous Question .....	25
52.	Demand For Immediate Ruling .....	27
53.	Removal Of Senator From Chair .....	27
54.	Decorum And Debate .....	28
55.	Recognition Of Members In Debate .....	28
56.	Speaking More Than Once In Single Debate .....	29
57.	Member Called To Order .....	29
58.	Refusal Of Member Called To Order To Be Seated .....	30
59.	Interruption Of President .....	30
60.	Interruption Of Member Speaking .....	30
61.	Punishment For Misconduct .....	32
62.	Obstructing Proceedings Of Senate—Punishment .....	32
63.	Bribery .....	32
64.	Admittance To Senate Chamber; Restrictions On Dress And Behavior .....	33
	Persons Lobbying Not Admitted .....	33
	Press Correspondents .....	33
	Forfeiture Of Admittance Privilege .....	33
	Suspension Of Admittance Rule .....	34
	Exceptions .....	34
65.	No Eating Or Drinking In Senate Chamber .....	35
66.	Persons Must Be Properly Attired In Senate Chamber .....	35
67.	Consideration Of House Bill In Lieu Of Senate Bill On Same Subject .....	35
68.	Procedure In Passage Of Bills .....	36
69.	Announcement Of Stage Of Bill .....	36



102.	Record Of Committee Attendance .....	57
103.	Public Notice Of Committee Meetings .....	57
104.	Minutes Of Committee Meetings .....	57
105.	Public Hearings .....	58
105.1.	Privileged Notice Of Hearing On Specific Bills (Tag Rule) .....	59
106.	Quorum Of Committee .....	60
107.	Committee Reports .....	60
108.	Consideration Of Bills In Committees .....	61
109.	Minority Reports .....	61
110.	Referral Of Agency Rules .....	62
111.	Subpoena And Process .....	62
	Appendix .....	63

## **RULE 14**

*A special order, the hour for the consideration of which has arrived, takes precedence of the unfinished business unless the unfinished business is itself a special order.*

### *Notes of Rulings*

*An affirmative vote of two-thirds of all Senators present including those who ask to be recorded as "present-not voting" is required to set a special order (49 S.J. Reg. 427 (1945)).*

*The motion to set a bill for a special order is not a proper substitute for a motion to suspend the regular order of business and take up a bill for immediate consideration (50 S.J. Reg. 1005 (1947)).*

*A bill being considered as a special order that is laid on the table subject to call is no longer a special order (43 S.J. Reg. 980 (1933)).*

*Refusal of Senate to set bill as special order for a certain hour does not prevent a motion's being made and adopted immediately thereafter to set the bill as a special order for a different specified hour (45 S.J. Reg. 860 (1937)).*

*The Senate, by a two-thirds vote, may take up a bill out of its regular order for immediate consideration although there is an unfinished special order on the President's table awaiting the Senate's consideration (49 S.J. Reg. 1053 (1945)).*

*When the business before the Senate is a special order, the order of business may be suspended in order to consider other business (61 S.J. Reg. 2034 (1969)).*

## **LOCAL AND UNCONTESTED CALENDAR**

14.1. (a) At times designated by the Senate, the Senate shall meet in session to consider local and uncontested bills and resolutions listed on a calendar certified by the Administration Committee.

(b) The committee may not consider a bill or resolution for placement on the calendar unless

(1) the sponsor of the legislation applies for the placement and submits 14 copies of the bill or resolution to the committee; and

(2) the chair of the standing committee from which the bill or resolution was reported submits a written request for the placement on the calendar.

The committee may set a time after which applications for a place on the calendar may not be accepted.

(c) The committee may not place a bill or resolution on the calendar if it

(1) creates a new department or subdivision of a department, unless the bill or resolution is purely local in nature and does not require the expenditure of state funds;

## RULE 32

(4) to postpone or change the order of business;

(5) to rescind or amend any rule of the Senate.

(b) A Senate rule may be suspended by a vote of two-thirds of the members present unless the rule specifies a different majority.

(c) A vote of two-thirds of the members present shall be required for the confirmation of any appointee of the Governor, unless otherwise directed by law (Constitution, Article IV, Section 12).

### *Historical Notes*

*The following rule was adopted by the Senate in 1911 (32 S.J. Reg. 790): "Rule 61a. It shall only require a majority vote of all Senators present to suspend pending business for the purpose of taking up and considering Senate Bill No. 1 and House Bill No. 226, any other rule or order to the contrary notwithstanding."*

*Rule 63 as adopted at the regular session in 1911 read as follows: "Any rule or order of the Senate may be rescinded by a majority vote of all members elected . . . ."*

*The following rule of the preceding legislature was eliminated from the 1911 Senate rules: "No standing rule or order of the Senate shall be rescinded or changed without one day's notice being given of the motion therefor."*

*The following is the text of the old rule on rescinding, which was adopted by the Senate of the 34th Legislature:*

*"(64) Any rule, order or act of the Senate may be rescinded or changed by a two-thirds vote of all Members present, except where otherwise provided by the Constitution or the laws" (34 S.J. Reg. 977 (1915)).*

*The rule was later amended to require two-thirds of all members to rescind or change a rule, and in 1939 the item (5) above was inserted in lieu of the old Rule 64.*

### *Note of Ruling*

*Pending consideration of a conference report, a motion to suspend its consideration and take up a Senate bill for immediate consideration is in order. The motion is divisible, since it involves the suspension of Rule 26 (now Rule 16) and also of Rule 13 (now Rule 12), 61st Leg. (51 S.J. Reg. 1555 (1949)).*

### *Editorial Note*

*This ruling and other late Senate precedents relative to suspending a pending question for the purpose of taking up another indicate that it has become the prevailing opinion of the Senate's presiding officers and its members that any pending debatable question, even a highly privileged one or one with high priority for consideration, may be suspended by a*

## **RULE 16.07**

*on the President's table for immediate consideration. Suspending a question that has itself been taken up under a suspension would most likely not be permitted.*

### **MATTERS REQUIRING VOTE OF MAJORITY OF MEMBERS OF SENATE**

Rule 16.07. A vote of the majority of the members of the Senate is required to:

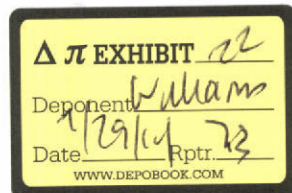
- (1) pass a resolution initially adopting temporary or permanent rules of the Senate; Rule 21.01 (Former Rule 32.1)
- (2) adopt, amend, or rescind the Joint Rules of the two Houses; Rules 21.02 and 22.02 (Former Rule 32.1)
- (3) adopt concurrent resolution to suspend conference committee rules; Rule 12.08 (Former Rule 96)
- (4) commit or recommit bill, resolution, or petition to a committee; Rule 6.08 (Former Rule 92)
- (5) hold an executive session. Rule 15.02 (Former Rule 41)

### **MATTERS REQUIRING VOTE OF MAJORITY OF MEMBERS PRESENT**

Rule 16.08. A vote of the majority of members present shall be required to:

- (1) elect officers; Rule 1.05 (Former Rule 35)
- (2) elect a member to preside; Rule 1.01 (Former Rule 5)
- (3) remove a member from the chair; Rule 4.08 (Former Rule 53)
- (4) pass a bill on second reading; Rule 7.18 (Former Rule 71)
- (5) pass a bill on third reading, except to give immediate effect to the bill as required by Rule 7.19;
- (6) adopt an amendment on second reading;
- (7) adopt a motion to reconsider vote; Rules 6.10 and 6.11 (Former Rules 23 and 24)
- (8) suspense with reading of papers; Rule 6.13 (Former Rule 25)  
See note to Rule 6.13.
- (9) debate a congratulatory, memorial, or courtesy resolution; Rule 8.03 (Former Rule 79) See note to Rule 8.03.
- (10) adopt a motion for previous question, after five seconds; Rule 6.09 (Former Rule 51) See note to Rule 6.09.
- (11) adopt a motion for immediate ruling, after 10 seconds; Rule 6.12 (Former Rule 52) See note to Rule 6.12.

**RULES  
OF THE SENATE  
71st Legislature  
Regular Session  
1989**



**ARTICLE V  
SENATE PROCEDURAL RULES  
(Order of Business)**

Rule 5.01	Presiding officer to assume chair .....	12
Rule 5.02	Quorum .....	12
Rule 5.03	Absences .....	13
Rule 5.04	Call of the Senate .....	13
Rule 5.05	Roll call .....	15
Rule 5.06	Prayer by chaplain .....	15
Rule 5.07	Reading of journal .....	15
Rule 5.08	Morning call .....	15
Rule 5.09	Order of considering bills and resolutions .....	16
Rule 5.10	House bill days .....	17
Rule 5.11	Special orders .....	17
Rule 5.12	Regular order of business .....	18
Rule 5.13	Suspension of the regular order of business .....	19
Rule 5.14	Intent calendar .....	19
Rule 5.15	Rulings by President .....	19

**ARTICLE VI  
MOTIONS**

Rule 6.01	Motions and their precedence .....	20
Rule 6.02	Limitation of debate on motions .....	23
Rule 6.03	Written motions .....	24
Rule 6.04	Withdrawal of motion .....	24
Rule 6.05	Motions to fix sum or state time .....	25
Rule 6.06	Division of question .....	25
Rule 6.07	Motion to table .....	25
Rule 6.08	Motions to refer or commit .....	25
Rule 6.09	Previous question .....	26
Rule 6.10	Reconsideration .....	27
Rule 6.11	Spreading motion to reconsider on journal .....	29
Rule 6.12	Demand for immediate ruling .....	29
Rule 6.13	Suspense with reading of papers .....	30
Rule 6.14	Mode of stating and voting upon questions .....	30
Rule 6.15	Calls for yeas and nays required .....	31
Rule 6.16	Members refusing to answer recorded present .....	31
Rule 6.17	Paired votes .....	31
Rule 6.18	Lieutenant Governor to give casting vote .....	32
Rule 6.19	Effect of tie vote when Lieutenant Governor absent .....	32
Rule 6.20	Vetoed bills .....	32
Rule 6.21	Adjournment .....	32
Rule 6.22	Adjournment of Senate for more than three days .....	33

**ARTICLE VII  
INTRODUCTION AND PASSAGE OF BILLS**

Rule 7.01	Custodian of bills and resolutions .....	34
Rule 7.02	Caption Rule .....	34
Rule 7.03	Announcement of stage of bill .....	34

Rule 10.02	Votes required to amend on third reading and to pass constitutional amendments .....	52
Rule 10.03	Failure of joint resolution to be adopted on third reading .....	52

## ARTICLE XI COMMITTEES

Rule 11.01	Appointment of committees .....	52
Rule 11.02	List of special and standing committees .....	52
Rule 11.03	Other special committees .....	53
Rule 11.04	Chair and vice-chair of standing committees and standing subcommittees .....	53
Rule 11.05	Limitations on membership of standing committees and standing subcommittees .....	53
Rule 11.06	Appointment of subcommittees within a standing committee .....	53
Rule 11.07	Recommendations of committees .....	54
Rule 11.08	Rules governing committee procedures .....	54
Rule 11.09	Record of committee attendance .....	54
Rule 11.10	Quorum of committee .....	54
Rule 11.11	Public notice of committee meetings .....	55
Rule 11.12	Minutes of committee meetings .....	55
Rule 11.13	Committee reports .....	56
Rule 11.14	Consideration of bills in committees .....	56
Rule 11.15	Consideration of House bills .....	56
Rule 11.16	Votes of committee required to report favorably .....	57
Rule 11.17	Unfavorable vote of committee .....	57
Rule 11.18	Minority reports .....	57
Rule 11.19	Public hearings .....	58
Rule 11.20	Privileged notice of hearing on specific bills (Tag Rule) .....	58
Rule 11.21	Subpoena and process .....	60

## ARTICLE XII CONFERENCE COMMITTEES

Rule 12.01	Appointment of conference committees .....	60
Rule 12.02	Instructions to conference committees .....	61
Rule 12.03	Limitations on conference committee actions .....	61
Rule 12.04	Conference committees on appropriation bills .....	61
Rule 12.05	Conference committees on tax bills .....	62
Rule 12.06	Conference committees on reapportionment bills .....	63
Rule 12.07	Conference committees on recodification bills .....	63
Rule 12.08	Suspension of conference committee rules .....	64
Rule 12.09	Printing and notice of conference committee reports .....	64
Rule 12.10	Section-by-section analysis .....	64
Rule 12.11	Enforcement by President .....	65



## **RULE 5.10**

*A motion to suspend the regular order of business is not a debatable motion (61 S.J. Reg. 1101 (1969)).*

### **HOUSE BILL DAYS**

**Rule 5.10.** After the morning call has been concluded on calendar Wednesday and calendar Thursday of each week, House Joint Resolutions and House bills on special order and on third and second readings, respectively, and House Concurrent Resolutions shall be taken up and considered until disposed of; provided in case one should be pending at adjournment on Thursday, it shall go over until the succeeding calendar Wednesday as unfinished business. (Former Rule 13)

#### *Notes of Rulings*

*A House bill, by a two-thirds vote, may be taken up and considered by the Senate on any day of the week (46 S.J. Reg. 634-635 (1939)).*

*When the Senate adjourns on Thursday of any week with a House bill pending, the bill then pending, whether it is a special order or not, may not be further considered until Wednesday of the next succeeding week unless the Senate by a two-thirds vote agrees to consider it further prior to that day (46 S.J. Reg. 1704 (1939)).*

*House bills may be considered in Senate under a suspension of the regular order of business on days other than calendar Wednesday and calendar Thursday (48 S.J. Reg. 1051 (1943)).*

*When a member is discussing a Senate bill on calendar Monday or calendar Tuesday (which are considered Senate bill days in the Senate) and 12:01 o'clock a.m. Wednesday arrives (which is considered a House bill day in the Senate), no further discussion may be had on the Senate bill (61 S.J. Reg. 956 (1969)).*

### **SPECIAL ORDERS**

**Rule 5.11.** Any bill, resolution, or other measure may on any day be made a special order for a future time of the session by an affirmative vote of two-thirds of the members present.

A special order shall be considered at the time for which it is set and considered from day to day until disposed of, unless at the time so fixed there is pending business under a special order, but such pending business may be suspended by a two-thirds vote of all the members present. If a special order is not reached or considered at the time fixed, it shall not lose its place as a special order. All special orders shall be subject to the Joint Rules and Senate Rule 5.10. (Former Rule 14)

## **RULE 5.12**

### *Editorial Notes*

*A bill once set as a special order does not lose its place on the calendar of special orders if not taken up at the hour for which it is set.*

*A special order, the hour for the consideration of which has arrived, takes precedence of the unfinished business unless the unfinished business is itself a special order.*

### *Notes of Rulings*

*An affirmative vote of two-thirds of all Senators present including those who ask to be recorded as "present-not voting" is required to set a special order (49 S.J. Reg. 427 (1945)).*

*The motion to set a bill for a special order is not a proper substitute for a motion to suspend the regular order of business and take up a bill for immediate consideration (50 S.J. Reg. 1005 (1947)).*

*A bill being considered as a special order that is laid on the table subject to call is no longer a special order (43 S.J. Reg. 980 (1933)).*

*Refusal of Senate to set bill as special order for a certain hour does not prevent a motion's being made and adopted immediately thereafter to set the bill as a special order for a different specified hour (45 S.J. Reg. 860 (1937)).*

*The Senate, by a two-thirds vote, may take up a bill out of its regular order for immediate consideration although there is an unfinished special order on the President's table awaiting the Senate's consideration (49 S.J. Reg. 1053 (1945)).*

*When the business before the Senate is a special order, the order of business may be suspended in order to consider other business (61 S.J. Reg. 2034 (1969)).*

## **REGULAR ORDER OF BUSINESS**

**Rule 5.12. (a)** Bills and resolutions shall be considered on second reading and shall be listed on the daily calendar of bills and resolutions on the President's table for second reading in the order in which the committee reports on them are submitted to the Senate. (Former Rule 91)

**(b)** Bills and resolutions shall be considered on third reading in the order in which they were passed on second reading.

### *Editorial Notes*

*On the very important matter of the order of considering each of the several bills reported from committees, the rules of the Senate were silent until Senate Rule 5.12 was amended on June 6, 1947, to provide that bills be placed on the calendars of Senate and House bills on the President's table in the order in which the committee reports on the bills*

## **RULE 16.06**

(5) passage of an address to the Governor for the removal of any civil officer; (Constitution, Article XV, Section 8) (Former Rule 31)

(6) expulsion of a member of the Senate; Rule 4.09 (Constitution, Article III, Section 11) (Former Rule 31)

(7) passage of House bills that have been returned by the Governor with objections; Rule 6.20 (Constitution, Article IV, Section 14) (Former Rule 31(b))

(8) authorization for the President to appoint special committees and subcommittees within committees. Rule 11.03 (Former Rule 94)

### *Note of Ruling*

*A vote of two-thirds of the members is not required for passage of bill to create flood control district and donate portion of taxes collected therein to the district (48 S.J. Reg. 1053 (1943)).*

## **MATTERS REQUIRING VOTE OF TWO-THIRDS OF MEMBERS PRESENT**

Rule 16.06. A vote of two-thirds of the members present shall be required to:

(1) impeach any officer; (Constitution, Article XV, Section 3) (Former Rule 32)

(2) pass a Senate bill that has been returned by the Governor with objections; Rule 6.20 (Constitution, Article IV, Section 14) (Former Rule 31) See note to Rule 6.20.

(3) confirm an appointee of the Governor, unless otherwise directed by law; (Constitution, Article IV, Section 12) (Former Rule 32)

(4) adopt an amendment at third reading of a bill or a joint resolution; Rules 7.20 and 10.02 (Former Rule 32)

(5) suspend the floor privileges of a member of the Senate; Rule 4.07 (Former Rule 58)

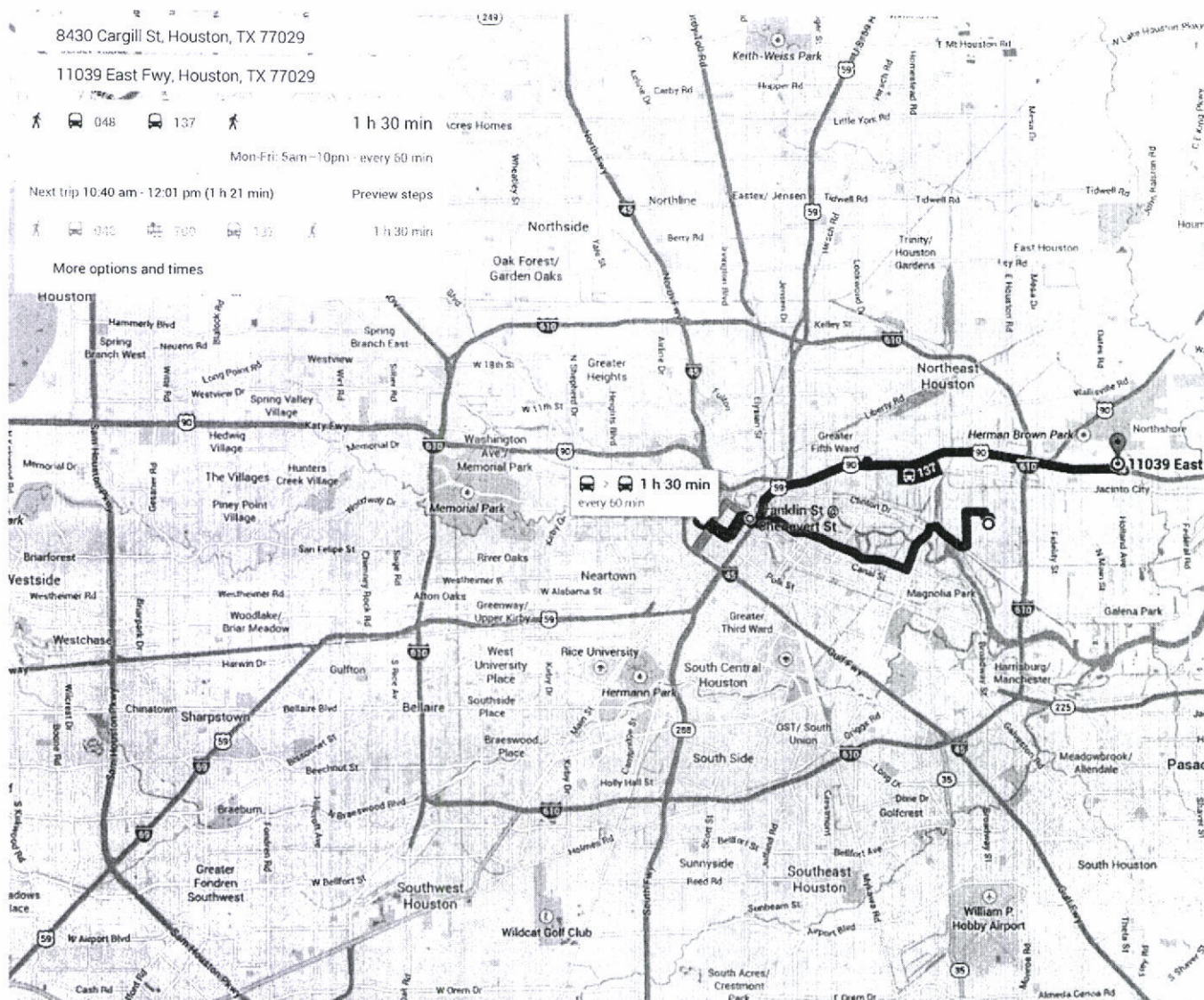
(6) suspend the regular order of business; Rule 5.13 (Former Rule 32)

(7) excuse absentees; Rule 5.03 (Former Rule 32)

(8) set a matter for special order; Rule 5.11 (Former Rule 14) See note to Rule 5.11.

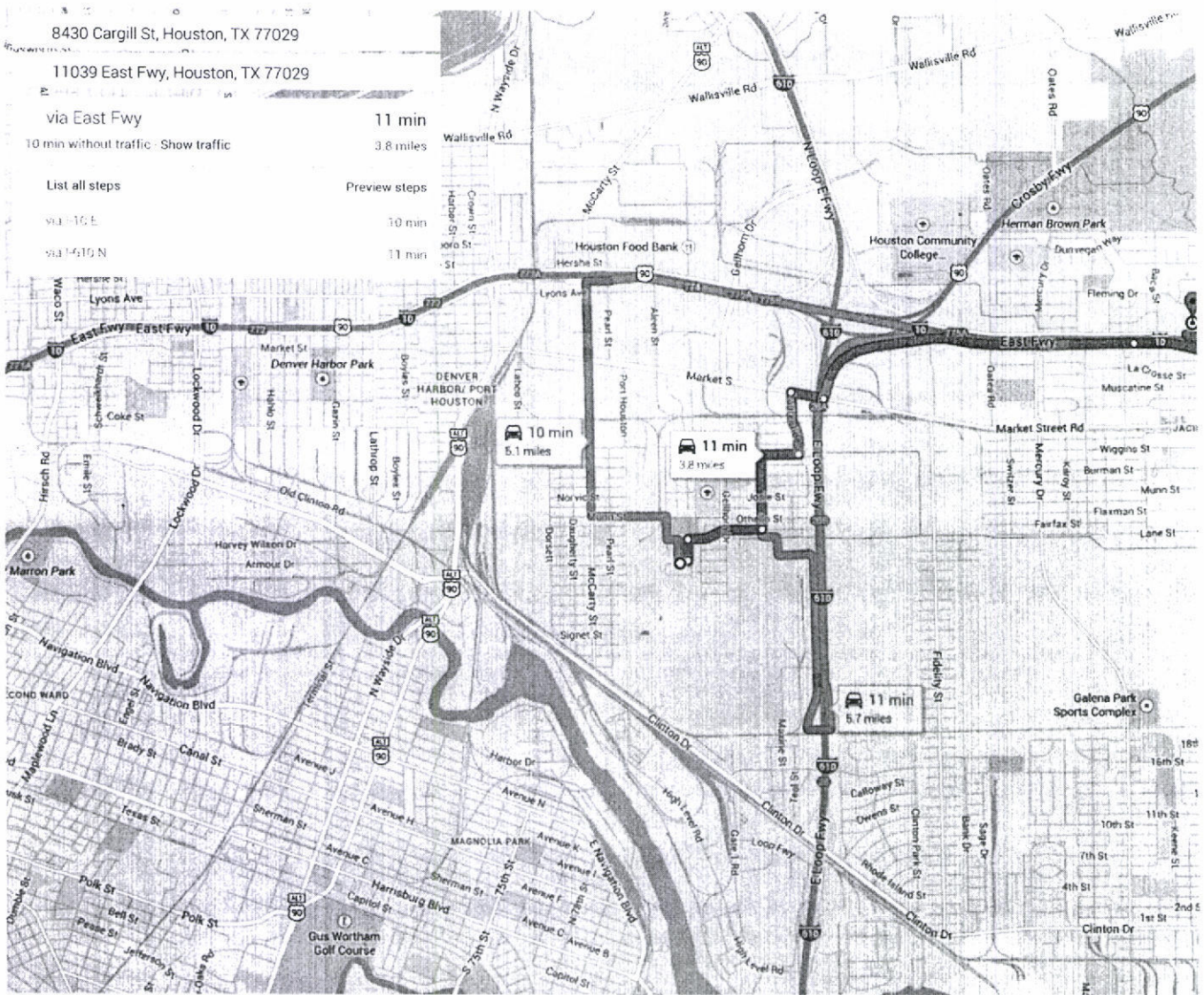
(9) place a minority report on the calendar; Rule 11.18 (Former Rule 109)

(10) rerefer a bill to another committee; Rule 6.08 (Former Rule 92)



NE  
EXHIBIT NO. 3  
AG 7/11/14





# Texas Politics

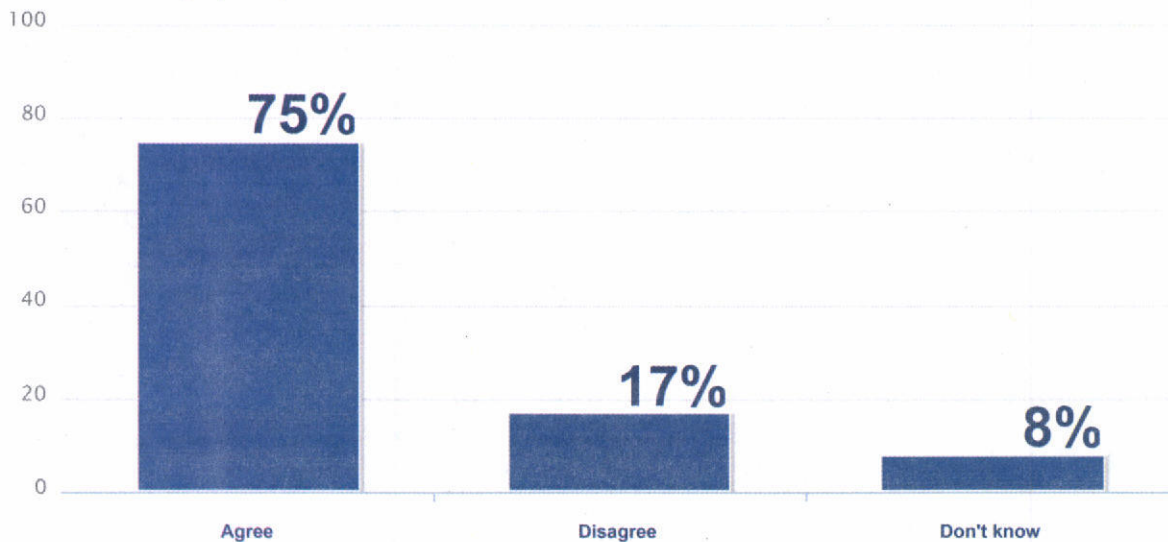
Voter Identification (February 2011)

Voter ID  
Preferences

Breakdown  
by Party ID

Breakdown  
by Race

Do you agree or disagree that registered voters should be required to present a government-issued photo ID before they can be allowed to vote? (February 2011)  
The MOE for the sample (n=797) is +/- 3.47



Mouse-over for notes about the data





# Texas Politics

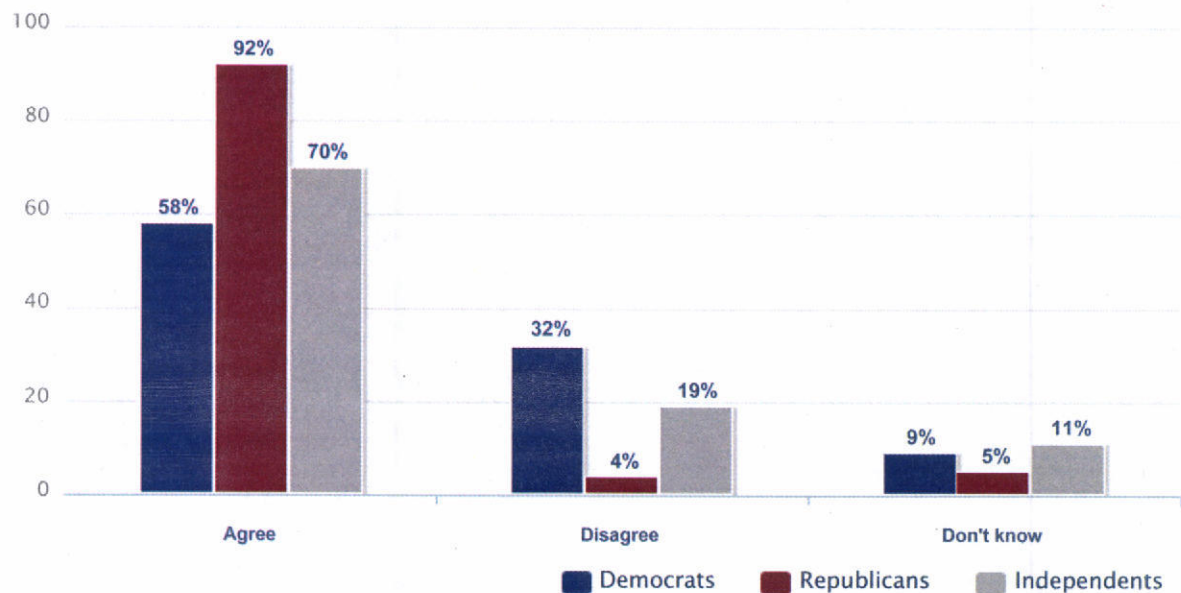
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## Texas Politics

Voter Identification (February 2011)

Voter ID  
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